

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C CLARK**, on January 11, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: Rep. Brad Molnar (R)

Staff Present: John MacMaster, Legislative Services Division
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing Date: 1/12/99HB 65,HB 77,HB 94,HB 76
Date Posted: 1/6/99
Executive Action Taken: HB 27; Do Pass

HB 48; Do Pass as Amended
HB 81; Do Pass as Amended

Chairman Robert Clark opened the meeting and made opening remarks.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 42}

HEARING ON HB 65

Sponsor:

Rep. Ahner presented opening remarks on HB 65.

{Tape : 1; Side : A; Approx. Time Counter : 42 - 75}

Proponents:

Mike Ferriter, Administrator, Mt. Dept. of Corrections

{Tape : 1; Side : A; Approx. Time Counter : 75 - 95}

Rick Meeker, Chief Juvenile Probation Office

{Tape : 1; Side : A; Approx. Time Counter : 95 - 130}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 130 - 468}

Closing by Sponsor:

Sponsor **Rep. Ahner** closed the hearing on HB 65.

EXHIBIT (juh07a01)

EXHIBIT (juh07a02)

HEARING ON HB 77

Sponsor:

Rep. Hurdle presented HB 77.

{Tape : 1; Side : A; Approx. Time Counter : 468 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 249}

EXHIBIT (juh07a0

3)

- 4) **EXHIBIT** (juh07a0
5) **EXHIBIT** (juh07a0
6) **EXHIBIT** (juh07a0

Proponents:

Betty Waddell, Montana Association of Churches

{Tape : 1; Side : B; Approx. Time Counter : 249 - 323}

EXHIBIT (juh07a1

6)

(this exhibit was handed in after the meeting)

Rebecca Moog, Montana Women's Lobbyists

{Tape : 1; Side : B; Approx. Time Counter : 323 - 348}

Scott Crichton, ACLU

{Tape : 1; Side : B; Approx. Time Counter : 348 - 473}

EXHIBIT (juh07a0

7)

EXHIBIT (juh07a0

9)

Casey Nestle, "Con Connection"

{Tape : 1; Side : B; Approx. Time Counter : 473 - 550}

EXHIBIT (juh07a0

8)

{Tape : 2; Side : A; Approx. Time Counter : 0 - 94}

Robert Holmes, Reverend

{Tape : 2; Side : A; Approx. Time Counter : 94 - 151}

Sharon Hoff, Montana Catholic Conference

{Tape : 2; Side : A; Approx. Time Counter : 151 - 166}

Opponents:

Dave Ohler, Chief Legal Counsel, Montana Dept. of Corrections

{Tape : 2; Side : A; Approx. Time Counter : 166 - 221}

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 221 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 95}

Closing by Sponsor:

Rep. Hurdle made closing statements.

{Tape : 2; Side : B; Approx. Time Counter : 95 - 174}

EXHIBIT (juh07a1

0)

EXHIBIT (juh07a1

1)

(10 minute break was taken by committee members.)

EXHIBIT (juh07a1

7)

(This exhibit was handed in late; 1/15/1999)

HEARING ON HB 94

Sponsor:

Rep. Cobb presented HB 94.

{Tape : 2; Side : B; Approx. Time Counter : 180 - 265}

EXHIBIT (juh07a1

2)

Proponents:

Beth Baker, Montana Dept. of Justice

{Tape : 2; Side : B; Approx. Time Counter : 265 - 340}

EXHIBIT (juh07a1

3)

Ralph Peck, Montana Dept. of Agriculture

{Tape : 2; Side : B; Approx. Time Counter : 340 - 355}

EXHIBIT (juh07a1

4)

Mary Bryson, Montana Dept. of Revenue

{Tape : 2; Side : B; Approx. Time Counter : 355 - 405}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 405 - 550}

{Tape : 3; Side : A; Approx. Time Counter : 0 - 35}

Closing by Sponsor:

Rep. Cobb made closing statements and closed HB 94.

{Tape : 3; Side : A; Approx. Time Counter : 35 - 50}

HEARING ON HB 76

Sponsor:

Rep. Sommerville presented HB 76.

{Tape : 3; Side : A; Approx. Time Counter : 50 - 120}

Proponents:

None

Opponents:

Scott Crichton, ACLU

{Tape : 3; Side : A; Approx. Time Counter : 120 - 225}

EXHIBIT (juh07a1

5)

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 3; Side : A; Approx. Time Counter : 225 - 550}

Closing by Sponsor:

Rep. Sommerville made closing statements

{Tape : 3; Side : B; Approx. Time Counter : 0 - 20}

Chairman Robert Clark inquired of committee members regarding taking executive action today on HB 27, Hb 42, HB 48, HB 81, HB 84. Rep. Gallus HB 42 needed an amendment so no action was taken.

EXECUTIVE ACTION ON HB 27

Motion/Vote: Rep. Noennig moved that HB 27 do pass. Motion carried unanimously.

EXECUTIVE ACTION ON HB 48

Motion/Vote: Rep. McGee moved that HB 48 do pass as amended. Motion carried unanimously.

EXECUTIVE ACTION ON HB 81

Motion/Vote: Rep. McGee moved that HB 81 do pass as amended. Motion carried 17-2 with Gutsche and Wyatt voting no.

EXECUTIVE ACTION ON HB 84

No Executive Action was taken on HB 81 as committee members want to hold off until HB 16 is heard.

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ADJOURNMENT

Adjournment: 11:10 A.M.

REP. ROBERT C CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh07aad)